IN THE HIGH COURT OF JUDICATURE AT BOBBY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 69 OF 2005

IN

SESSIONS CASE NO. 533 OF 2004

Santosh Kumar Jagdesh Singh .. Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri S.C. Singh for the Applicant.
Shri A.S.Gadkari for the Respondent.

WITH

CRIMINAL APPLICATION NO. 273 OF 2005

Dharmendrakumar Kameshwar Singh ..Applicant.

V/s.

The State of Maharashtra ..Respondent.

Shri Naveen Chomal for the Applicant.
Shri A.S.Gadkari, APP for the Respondent State.

CORAM : A.M.KHANWILKAR,J.
DATED : JANUARY 19, 2005

PC :-

. Heard counsel for the parties. Perused the record.

2. I see no reason to depart from the conclusion

reached by the court below in rejecting the bail application preferred by the present applicants. There is direct evidence to indicate complicity of the applicants in the commission of the crime. The applicants were arrested on the spot and incriminating material has been recovered from their persons and the bag which was carried by Santosh Kumar Singh. Further, the learned APP has also brought to my notice that the applicants have been named in relation to the offence of theft of two moter cycles, which has been registered with Colaba Police Station, which is being investigated. Be that as it may, in view of the incriminating material on record and having regard to the seriousness of the offence, not a case for bail. Hence, rejected.

3. Needless to observe that the trial court will decide the trial on its own merits on the basis of evidence adduced at the trial uninfluenced by any of the observations made in this order.

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